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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
TACOMA DIVISION

9 LEO RODNEY STROMER,

Civil No. 3:10-cv-05939-KLS

10 Plaintiff,

11 v.

ORDER OF REMAND AND JUDGMENT

12 MICHAEL J. ASTRUE,  
Commissioner of Social Security,

13 Defendant.

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15 Based on the stipulation of the parties, it is hereby ORDERED that the above-captioned  
16 case be REVERSED and REMANDED for further administrative proceedings pursuant to  
17 sentence four of 42 U.S.C. § 405(g). On remand, the Appeals Council will consider whether the  
evidence is sufficient to issue a favorable decision by the Appeals Council.

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19 If the Appeals Council determines that the evidence is not sufficient to issue a favorable  
20 decision, the Appeals Council will remand the case to an Administrative Law Judge (ALJ) for  
21 further consideration and development of the record and a new decision. On remand, the ALJ  
22 will hold a *de novo* hearing and Plaintiff may raise any issue. The ALJ will: (1) evaluate all  
23 medical source opinions, including those of Alex Ziga, M.D.; Margaret Miller, M.D.; and Kent  
24 Caruso, Ph.D.; (2) reevaluate Plaintiff's impairments, including his mental impairments, and

1 assess whether they meet or equal a listing; (3) evaluate lay witness statements, including those  
2 of Tonya Lynn Kutz and Linda Gee; (4) reevaluate Plaintiff's credibility and reassess his  
3 residual functional capacity; and (5) continue with the sequential evaluation process, obtaining  
4 supplemental vocational expert testimony if warranted by the expanded record, and, if  
5 applicable, assessing the materiality of drug abuse or alcoholism.

6       Upon proper presentation, this Court will consider Plaintiff's application for costs and  
7 attorney fees under 28 U.S.C. § 2412(d) and 42 U.S.C. § 406(b).

8       JUDGMENT is entered for Plaintiff, and this case is closed.

9       DATED this 1st day of August, 2011.

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12 Karen L. Strombom  
13 United States Magistrate Judge  
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15 Presented by:

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